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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

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BY: KMX DEPUTY

UNITED STATES OF AMERICA, Plaintiff, v. **Lorenzo PERFECTO-Garcia,** Defendant	Magistrate Docket No. **'08 MJ 0875** COMPLAINT FOR VIOLATION OF: Title 8, U.S.C., Section 1326 Deported Alien Found in the United States

The undersigned complainant, being duly sworn, states:

On or about **March 19, 2008,** within the Southern District of California, defendant, **Lorenzo PERFECTO-Garcia,** an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 20TH DAY OF **MARCH 2008.**

Leo S. Papas
UNITED STATES MAGISTRATE JUDGE

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CONTINUATION OF COMPLAINT:
Lorenzo PERFECTO-Garcia

PROBABLE CAUSE STATEMENT

On March 19, 2008, Border Patrol Agents W. Stephens and K. Ruck were assigned to patrol duties in the Chula Vista Border Patrol Station area of operations. At approximately 1:30 AM, Agents Stephens and Ruck responded to an observation by an infrared scope operator of 15 individuals walking north in an area known as "Copper Canyon." This area is located approximately five miles east of the Otay Mesa, California Port of Entry and one mile north of the International Boundary between Mexico and the United States.

At approximately 1:40 am, Agents Stephens and Ruck arrived in area and began performing a search of the area. Agents Stephens and Ruck located all fifteen subjects who were attempting to conceal themselves in dense brush. Agents Stephens and Ruck approached the fifteen individuals, identified themselves as United States Border Patrol Agents and then performed an immigration inspection. All fifteen, including one later identified as the defendant **Lorenzo PERFECTO-Garcia**, admitted to being citizens and nationals of Mexico without immigration documents that would allow them to enter or remain inside the United States legally. All fifteen were arrested and transported to the Chula Vista Border Patrol Station.

Routine record checks of the defendant revealed an immigration history. The defendant's record was determined by a comparison of his immigration record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to Mexico on **September 26, 2007, through San Ysidro, California**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

The defendant was advised of his Miranda rights. The defendant stated that he understood his rights and was willing to answer questions without an attorney present. The defendant admitted that he is a citizen and national of Mexico illegally present in the United States. The defendant stated that he knew it was illegal to re-enter the United States illegally after deportation.